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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/593,253

09/18/2006

Michel Paquier

294504US2PCT

7025

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7590

06/11/2010

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ALEXANDRIA, VA 22314

EXAMINER

STANFORD, CHRISTOPHER J

ART UNIT

PAPER NUMBER

2887

NOTIFICATION DATE

DELIVERY MODE

06/11/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/593,253	Applicant(s) PAQUIER, MICHEL	
	Examiner CHRISTOPHER STANFORD	Art Unit 2887	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-32,34-53 and 55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-32,34-53 and 55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Receipt is acknowledged of the amendment filed 3/03/2010. Claims 28-32, 34-53 are amended, claims 33 and 54 are cancelled, claim 55 is new, and claims 28-32, 34-53, and 55 are currently pending.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michel Bohn on 5/26/2010.

The application has been amended as follows:

In the claims, replace claim 28 with the following:

28. (Currently Amended) A glazing unit comprising:

at least one marking element visible from outside the glazing unit, the at least one marking element including a string of characters which contain one or more substrings of ~~one or more~~ successive characters where at least one of the one or more substrings is a hexadecimal number,

wherein the marking element can be visually identified by whomsoever and an identity of the at least one marking element can be communicated remotely to an identification device, the identification device incorporating, for a given marking element, characteristics relating to the glazing unit which are configured to be at least partly accessible to the public in exchange for the identity of the at least one marking element.

Claim Objections

3. Claim 32 is objected to because of the following informalities: the limitation “all the characteristics relating to the glazing unit” appears to lack antecedent basis.

Examiner suggests modifying the limitation to read “all characteristics relating to the glazing unit”. However, the section below discussing 35 U.S.C. 112 rejections details why Examiner believes that further modifying this limitation (omitting “all”) is necessary for definiteness. Appropriate correction is required.

4. Claim 43 is objected to because of the following informalities: the limitation “the one more numbers with an item of information” appears to contain a typographical error and further lacks antecedent basis. Examiner believes the limitation is intended to be: “the one ***or*** more ***hexadecimal*** numbers with an item of information”. Appropriate correction is required.

5. Claims 47 and 53 (two occurrences) are objected to because of the following informalities: the limitation “correlating the one more numbers” appears to contain a typographical error and further lacks antecedent basis. Examiner believes the limitation

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is intended to be: “correlating the one **or** more **hexadecimal** numbers”. Appropriate correction is required.

6. Claim 50 is objected to because of the following informalities: the limitation “the first technical communication device and the second technical communication device include mail, telephone, telefax, electronic communications, or Internet type” does not appear to be grammatically correct. Examiner believes applicant intends to recite that the communication devices **utilize** mail, telephone, telefax or electronic communication as opposed to “include”. However, Examiner understands that one of the alternatives in the claim is grammatically correct: the devices may “include ... Internet type”. Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claim 32 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The limitation “all the characteristics relating to the glazing unit are recorded in a form of a string of numbers” does not clearly point out which characteristics relate to the glazing unit. The list of characteristics relating to the glazing unit is indeterminable and therefore does not clearly set out the metes and bounds of the claim. Examples of such lists include claim 37, claim 38, claim 40, and those characteristics disclosed as “all

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characteristics” within the specifications (e.g. page 3, lines 1-7). Examiner suggests that the applicant should further specify the characteristics that are intended to be encompassed by claim 32.

9. Claim 53 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The limitation “all characteristics relating to the glazing unit” does not clearly point out which characteristics relate to the glazing unit. The list of characteristics relating to the glazing unit is indeterminable and therefore does not clearly set out the metes and bounds of the claim. Examples of such lists include claim 37, claim 38, claim 40, and those characteristics disclosed as “all characteristics” within the specifications (e.g. page 3, lines 1-7). Examiner suggests that the applicant should further specify the characteristics that are intended to be encompassed by claim 53.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 28-32, 36, 38-41, 43-51, 53, 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over the public use and sale of Andersen Windows and

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www.andersenwindows.com (acquired from March 24, 2004 via The WayBack Machine Internet Archive Service) in view of Ackley et al. (US 5,557,092; hereinafter Ackley). A document (hereinafter Andersen), cited in previous Office Action mailed 12/09/2009, was acquired from www.andersenwindows.com via www.archives.org for March 24, 2004. The Andersen reference details the history of glazing units used and sold by Andersen Windows and Doors and headquartered in Bayport, MN, products from 1970-2003 are relevant to this rejection.

Regarding claim 28, Andersen teaches a glazing unit (sheet of glass; page 7, para 1) having at least one marking element (symbols and shapes of logo, Figs. 1-8, 10-13) visible from outside (symbols and shapes of logo is visible “regardless of the position” since windows are at least semi-transparent and the label “Andersen’ is stamped on all spacers”; page 12) the glazing unit, the at least one marking element including a string of characters which contain one or more substrings of successive characters where at least one of the one or more substrings is a hexadecimal number (“C179” is a hexadecimal number since it uses characters 0-9 & A-F exclusively however it may not have hexadecimal coding, Figs. 1-8, 10-13), wherein the at least one marking element can be visually identified by whomsoever (Figs. 1-8, 10-13) and an identity of the at least one marking element can be communicated remotely to an identification device (users had access, through computers connected to the Internet, to www.andersenwindows.com whereby users could search the site for the Andersen reference and product catalogs), the identification device incorporating, for a given marking element, characteristics (manufacturer “Andersen” on page 12 and

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certifications, e.g. 16 CFR 1201. CII, IGCC, ANSI, etc. in Figs. 1-8, 10-13) relating to the glazing unit which are configured to be at least partly accessible to the public in exchange for the identity of the at least one marking element (page 7). Examiner notes that the claim recites “can be communicated” which makes the limitation optional.

It is believed that the applicant intends for the “hexadecimal number” limitation to require more than the characters (i.e. 0-9 & A-F) used in typical hexadecimal encoding. Since hexadecimal encoding does not inherently require the characters 0-9 & A-F, it is believed that a reference should explicitly teach hexadecimal encoding to anticipate that specific limitation. Andersen discloses the claimed invention as cited above though does not explicitly disclose hexadecimal encoding.

Ackley discloses a string of characters which contain one or more substrings of successive characters where at least one of the one or more substrings is a hexadecimal number (Figs. 3, 9, 11; abstract & col. 4, ln. 40-col. 5, ln. 6)

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to encode a visually identifiable marking element with hexadecimal numbers as taught by Ackley with the system as disclosed by Andersen and www.andersenwindows.com. The motivation would have been to improve efficiency (i.e. reduce the number of bits required), adapt to computing standards (col. 2, ln. 1-col. 3, ln. 19), and convey denser information in human readable formats.

Regarding claim 29, Andersen teaches the string of characters includes at least one of numerals, letters, or pictorial symbols (Figs. 1-8, 10-13).

Regarding claim 30, Andersen teaches the identity of the at least one marking element is recognizable by a character-recognition reader equipment (character recognition reader equipment is for recognizing characters and thus since characters are present on the Andersen windows, the characters are recognizable by equipment designed to recognize them).

Regarding claim 31, Andersen teaches the at least one marking element is communicated to the identification device by a technical communication (the symbols and shapes of logos are intended to be communicated via telephone to Andersen to identify the glazing unit or searched within www.andersenwindows.com, page 3).

Regarding claim 32, the use of Andersen windows as evidenced by the Andersen reference and www.andersenwindows.com reference teach a computer database (www.andersenwindows.com server on the Internet, Figs. 1-8, 10-13) in which all the characteristics (Andersen: certification, manufacturing plant, date) relating to the glazing unit are recorded in a form of a string (symbols and shapes of logos indicate certifications and manufacturing details that relate to the characteristics, Figs. 1-8, 10-13), the string is coded as a hexadecimal number (Andersen: "C179", Fig. 5) to comprise one of the one or more substrings of the at least one marking element (Figs. 1-8, 10-13).

Regarding claim 36, Andersen teaches the claimed invention except for the duplication of the marking element. It would have been obvious to one having ordinary skill in the art at the time the invention was made to duplicate the marking element, Since it has been held that a mere duplication of a claimed element involves only

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routine skill in the art. One would have been motivated to duplicate the marking element for the purpose of making the information more noticeable and accessible for the end-user.

Regarding claim 38, Andersen teaches the at least one marking element identifies at least one of the following characteristics: a commercial name of the glazing unit (“Andersen” stamped on all spacers; page 12), or a family of the glazing unit (e.g. IGCC certification; page 7), or a type of the glazing unit (e.g. IGCC certification; page 7); a composition of glass in the glazing unit or technical characteristics afforded by thin layers deposited on the glazing unit; dimensions of the glazing unit; a place of manufacture of the glazing unit (manufacturing plant, Fig. 6; page 9) a date of manufacture of the glazing unit (C179, Fig. 6); a first customer of the glazing unit; information associated with a first use of the glazing unit; a type of certification or of standards that the glazing unit meets (IGCC code; page 7); pecuniary information associated with the glazing unit.

Regarding claim 39 and 55, Andersen teaches the glazing unit is an insulating unit (page 7, para 2 & Fig. 9, page 10) and comprises at least two sheets of glass (Fig. 9, page 10) and at least one gas-filled cavity (“air spaces”, page 10) separating the two sheets of glass, a spacing of the two sheets of glass being achieved by at least one interlayer (spacer shown in Fig. 9, page 10 and labeled in Fig. 7, page 16), and wherein the at least one marking element (“Andersen”, page 12) is arranged (“stamped on all spacers”) on the interlayer (“spacer”) or on a face facing the gas-filled cavity (logos of Figs. 1-8, 10-13, pages 9-11). Logos of the glass panes are on a face facing the cavity

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since the logos are visible from either side of the window on either side of the air-filled cavity).

Regarding claim 40, Andersen teaches the at least one marking element identifies one or more characteristics, including a thickness of the gas-filled cavity, composition of the gas-filled cavity, and technical characteristics of the interlayer (the code for the date of manufacture, e.g. C179, is reasonably interpreted as the age of the glazing unit and thus the interlayer; furthermore the IGCC certification is a technical characteristic of the entire glazing unit and thus of the components of the glazing unit including any interlayers present).

Regarding claim 41, Andersen teaches the at least one marking element is engraved or printed (logos of Figs. 1-8, 10-13, pages 9-11) onto an element that comprises the glazing unit.

Regarding claims 43 and 44, the use of Andersen windows as evidenced by the Andersen reference and www.andersenwindows.com reference teach a method for identifying (via searching www.andersenwindows.com) a glazing unit (Andersen: page 7) including at least one marking element (Andersen: logos of Figs. 1-8, 10-13, pages 9-11) visible from outside of the glazing unit and configured to be visually identifiable by whomsoever (Andersen: Figs. 1-8, 10-13, pages 9-11), the method comprising: recognizing the at least one marking element (Andersen: logos are visually readable by users), after the recognizing, transmitting (searching www.andersenwindows.com) a content (Andersen: characters of logos, Figs. 1-8, 10-13, pages 9-11) of the at least one marking element via a first technical communication device (user's computer connected

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to the www.andersenwindows.com server via the Internet) to an identification device including a computer database (www.andersenwindows.com server on the Internet contains content including the Andersen reference and product catalogs) identifying via the identification device one or more hexadecimal numbers from a string of characters of the at least one marking element (Andersen: "C179", Figs. 1-6; page 9), correlating via the computer database the one or more hexadecimal numbers with an item of information in the computer database (Andersen: "C179" represents the plant and date of manufacture, Figs. 1-6; page 9), and passing-on at least some of this item of information publicly via a second technical communication device (information from www.andersenwindows.com is displayed on the user's computer).

Regarding claim 45, Andersen teaches the transmitting (searching via www.andersenwindows.com) of the content of the at least one marking element to the identification device is performed by mail, or by telephone, or by telefax, or by electronic communications (searching www.andersenwindows.com via a user's computer), or by the Internet (searching www.andersenwindows.com via a user's computer).

Regarding claim 46, Andersen teaches the passing-on of at least some of the item of information publicly via a second technical communication device (information from www.andersenwindows.com is displayed on the user's computer) includes by telephone, in writing by mail, or by telefax, or by sending a message by telephone or Internet, or by displaying on an Internet site (information from www.andersenwindows.com is displayed on the user's computer), or by displaying on

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any display screen connected to a communications network (information from www.andersenwindows.com is displayed on the user's computer).

Regarding claim 47, the use of Andersen windows as evidenced by the Andersen reference and www.andersenwindows.com reference teach a system for identifying a glazing unit (Andersen: panes, windows, doors, triple-panes as on page 7) using a marking element (Andersen: logos of Figs. 1-8, 10-13, pages 9-11 & the word "Andersen" of page 12), affixed to the glazing unit (to the glass as on page 7 and to the spacer as on page 12) and identifiable from outside the glazing unit (logos on glass panes are intended to be seen after manufacturing by at least dealers, distributors, contractors as on page 3), the system having a first technical communication device (user's computer connected to the www.andersenwindows.com server via the Internet) that transmits recognition (Andersen: logos are visually readable by users) of the at least one marking element to an identification device including a computer database (searching www.andersenwindows.com server on the Internet contains content including the Andersen reference and product catalogs), the identification device receiving the recognition of the at least one marking element (process of searching www.andersenwindows.com) and identifying one or more hexadecimal numbers from a string of characters of the marking element, the identification device correlating the one or more hexadecimal numbers to information in the computer database that is at least partially publically renderable (process of searching www.andersenwindows.com and displaying the Andersen reference and products catalog), the at least one marking element corresponding to information configured to be rendered at least partially public

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(Andersen: logos of Figs. 1-8, 10-13, pages 9-11 & “Andersen” of page 12); and a second technical communication device that passes on the information (information from www.andersenwindows.com is displayed on the user’s computer) in the computer database that corresponds to the at least one marking element from the identification device to a reception device (Andersen: “C179” represents the plant and date of manufacture, Figs. 1-6; page 9).

Regarding claim 48, Andersen discloses the claimed invention as cited above though does not explicitly disclose an electronic reader.

Ackley discloses an electronic reader (reader 142, Fig. 5) that recognizes and reads the marking element (col. 2, ln. 1-col. 3, ln. 30 & col. 8, ln. 24-50).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to encode use an electronic reader as taught by Achkley with the system as disclosed by Andersen and www.andersenwindows.com. The motivation would have been to improve the efficiency (i.e. reduce the number of user-driven processes) by which users receive data from codes (col. 2, ln. 1-col. 3, ln. 30).

Regarding claim 49, Andersen teaches at least one database filter (information presented in the Andersen reference and www.andersenwindows.com discloses some portion of the windows’ information and thus may reasonably be interpreted as filtered, either by presentation or by the user’s search) associated with the identification device so as to pass on only some of the information corresponding to the at least one marking element (information regarding the glass/window/door/etc. using the label of Fig. 5, page 9 would not require passing on of all information of the logo; for example the “AW”

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symbolic logo is a component of the “marking element” that is non-essential to the Andersen invention and therefore filtered out).

Regarding claim 50, the use of Andersen windows as evidenced by the Andersen reference and www.andersenwindows.com reference teach the first technical communication device (user’s computer connected to the www.andersenwindows.com server via the Internet) and the second technical communication device (www.andersenwindows.com server on the Internet contains content including the Andersen reference and product catalogs) include/utilize mail or telephone, or telefax, or electronic communications means, or Internet type (www.andersenwindows.com).

Regarding claim 51, Andersen and www.andersenwindows.com anticipates the reception device includes a recording (computer memory storing www.andersenwindows.com information) or viewing device (computer monitor used to navigate www.andersenwindows.com).

Regarding claim 53, the use of Andersen windows as evidenced by the Andersen reference and www.andersenwindows.com reference teach the correlating the one or more hexadecimal numbers with the item of information further comprises relating the one or more hexadecimal numbers to a string of numbers of an identifier (Andersen: Figs. 1-8, 10-13, pages 9-11), the identifier representing the item of information and the item of information containing all characteristics relating to the glazing unit (Andersen: date, manufacturing plant, certification), the information is recorded in a computer-oriented manner (www.andersenwindows.com) in a form of a string of numbers (information such as size, light transmission, relative humidity, etc. as

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in page 1 of the www.andersenwindows.com reference), each number being coded on one or more successive characters of the marking element (a logo indicating the type of window via manufacturing date, certification, etc. encodes the information displayed on www.andersenwindows.com).

12. **Claim 34** is rejected under 35 U.S.C. 103(a) as being unpatentable over the public use and sale of Andersen Windows and www.andersenwindows.com in view of Ackley and further evidenced by the use of IGCC certification. Details of IGCC certification are published in the attached document titled Procedural Guide.

Regarding claim 34, the use of Andersen windows as evidenced by the Andersen reference and www.andersenwindows.com reference teach the at least one marking element (IGCC certification, Figs. 1-8, 10-13; page 7) and the identifier (IGCC certification; page 7) in the identification device remain unchanged (IGCC, Fig. 5) while corresponding characteristics (characteristics of what the IGCC certification represents) associated with the glazing unit can be altered (IGCC certification is “modified” frequently as evidenced by the IGCC Procedural Guide page 60 in which elements of testing are labeled as “Modified 8/14/85” and “Modified 9/1/87”).

13. **Claim 35** is rejected under 35 U.S.C. 103(a) as being unpatentable over the public use and sale of Andersen Windows and www.andersenwindows.com in view of Ackley and further evidenced by federal regulation 16 CFR 1201. Details of 16 CFR 1201 are published in the attached document titled 16 CFR 1201.5 Certification and labeling requirements.

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Regarding claim 35, the use of Andersen windows as evidenced by the Andersen reference and www.andersenwindows.com reference teach the at least one marking element (symbols and shapes of logo, Figs. 1-8, 10-13) is affixed in perpetuity (16 CFR 1201 is a Federal regulation that has mandated that at least one certification labels be permanent on a glazing unit since 1977) to the glazing unit, or is secured to a part of the glazing unit that is inaccessible from the outside.

14. Claims 37 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over the public use and sale of Andersen Windows and www.andersenwindows.com in view of Ackley as applied to claims 28-32, 36, 38-41, 43-51, 53, 55, and further in view of Peck (US 4,048,918; hereinafter Peck).

The use of Andersen windows as evidenced by the Andersen reference and www.andersenwindows.com reference teach information contained in the identification device and the at least one marking element identify technical characteristics that make up the glazing unit (certification as on page 7), characteristics relating to the manufacture of the glazing unit (logo indicates manufacturing plant, Fig. 6; page 9), commercial characteristics (brand name of manufacturer, pages 9-12).

The use of Andersen windows discloses the claimed invention as cited above though does not explicitly disclose characteristics associated with its destination.

Peck discloses a glazing unit (windshield, Fig. 1) comprising a marking element (stenciled identification) identifies characteristics associated with its destination (the

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identification links the glazing unit to the structure supporting the glazing unit at the destination of the user).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to identify characteristics associated with the destination as taught by Peck with the system as disclosed by Andersen. The motivation would have been to reduce theft of the glazing unit (col. 1, ln. 13-39).

2. **Claim 42** is rejected under 35 U.S.C. 103(a) as being unpatentable over Andersen as applied to claim 28, and further in view of Demars et al. (WO 03/040507; hereinafter Demars; previously cited). The US patent 7,332,202 B2 is used below as an English translation of the Demars reference and all citations are to the US patent.

Andersen discloses the glazing unit is laminated (triple-pane, Fig. 9, page 10) and comprises at least two sheets of glass and a metallic interlayer (page 10, para 3) arranged between the two sheets of glass (Fig. 9, page 10), the at least one marking element being affixed to the metallic interlayer (logo "Andersen" stamped on spacer as on page 12).

Andersen discloses the claimed invention as cited above though does not explicitly disclose a plastic interlayer.

Demars discloses the glazing unit (Fig. 1a) is laminated (abstract) and comprises at least two sheets of glass (glass sheets 10 & 11, Fig. 1a) and a plastic interlayer (strip 2; col. 8, ln. 42-59) arranged between the two sheets of glass, the at least one marking (col. 4, ln. 38-42) element being affixed to the plastic interlayer.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use mark a plastic interlayer as taught by Demars with the device as disclosed by Andersen. The motivation would have been to provide traceability and to improve sealing by bordering corners of the glazing unit (col. 1, ln. 21-25, col. 4, ln. 38-42, & col. 8, ln. 42-59).

Response to Arguments

15. Applicant's arguments with respect to claims 28-32, 34-53 have been considered but are moot in view of the new ground(s) of rejection.

16. Applicant's amendments have been fully considered and overcome prior objections and 35 U.S.C. 101 rejections. These have been withdrawn.

Conclusion

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER STANFORD whose telephone number is (571)270-3337. The examiner can normally be reached on Monday through Fridays , 7:30am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Paik can be reached on (571)272-2404. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Examiner, Art Unit 2887

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Primary Examiner, Art Unit 2887

Application/Control Number: 10/593,253
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